

**Notice of Allowability****Application No.**

10/563,949

**Examiner**

ALYSON M. MERLINO

**Applicant(s)**

BENDEL, THORSTEN

**Art Unit**

3673

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10 January 2011.
2. ☒ The allowed claim(s) is/are 1,3-7 and 11-16.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some\* c) ☐ None of the:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.  
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached  
1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.  
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.  
**Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☒ Other Examiner-Initiated Interview Summary (PTO-413B),  
Paper No. 20110114.

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Konomi Takeshita on 14 January 2011.

The application has been amended as follows:

#### **In the Claims:**

Claim 7, line 3, replace the phrase "an opening" with the phrase --the opening--.

Claim 9, line 3, replace the phrase "an opening" with the phrase --the opening--.

The following is an examiner's statement of reasons for allowance: Although the references of record show some similar features of applicant's claimed device, the prior art fails to teach or make obvious the claimed invention, wherein the claims are drawn to a vehicle door latch comprising a locking mechanism, an operating lever, a motor drive containing a drive disk with a front-sided cam for causing reciprocating motion of the operating lever, the cam having an irregular-shaped wheel portion and an end portion located about a cam rotational axis coincident with a drive disk rotational axis, a rear-sided element limiting the angle of rotation of the drive disk and an electric motor capable of turning in both an actuation direction and a reverse direction for directly driving corresponding rotation of said drive disk in an actuation direction and in a reverse direction said rotations being limited by the element limiting the angle of

rotation, a control unit for controlling said turning of said electric motor, and a first sensor and a second sensor for signaling to said control unit a position of catch of the locking mechanism and a position of the drive disk, respectively, for coordinating and timing said turning of the electric motor, said rotations of the drive disk and said resulting motions of the operating lever; wherein the motor drive opens the locking mechanism by directly acting upon the locking mechanism solely via contact of the cam with the operating lever resulting from said driving of said drive disk in the actuation direction, wherein the operating lever pivotally engages a pawl of the locking mechanism to cause said pawl to release the catch and said rotation in the actuation direction continues until limited by the element limiting the angle of rotation, in an opening position of the drive disk, wherein in said opening position of the drive disk, a counterforce generated by spring on the operating lever, runs solely and radially through the irregular-shaped wheel portion of the cam in the direction of a rotation axis of the drive disk without providing a lateral force running in said actuation direction or in said reverse direction on the drive disk and said counterforce generated by the spring causes a frictional force on a generally flat surface of the cam to engage the operating lever to set and maintain the opening position of the drive disk regardless of any driving from said electric motor, wherein the opening position of the drive disk is maintained until the catch rotates to a fully open position, as signaled by said first sensor, and wherein the motor drive is then acted upon in reverse direction, base on said signaling from said first and said second sensors, until the pawl, held previously by the operating lever is released.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ALYSON M. MERLINO whose telephone number is (571)272-2219. The examiner can normally be reached on Monday through Friday, 7:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Cuomo can be reached on (571) 272-6856. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AM

January 14, 2011

/Carlos Lugo/

Primary Examiner, Art Unit 3673